

Northwest Indian Fisheries Commission Grant Program

FY 2013 Noncompetitive Tribal Projects for Restoration and Protection of Puget Sound

Swinomish Indian Tribal Community Non-Point Pollution Public Information and Education Initiative – Year 4

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Grant Name:	NWIFC FY 2014 Noncompetitive Tribal Projects for Restoration and Protection of Puget Sound
Project Period:	February 1, 2014 – January 1, 2015
Project Officer Name and Address:	Tiffany J. Waters Northwest Indian Fisheries Commission 6730 Martin Way East Olympia, WA 98516
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1. **Project Title:** Non-Point Pollution Public Information and Education Initiative – Year 4
2. **Workplan Abstract:** Implementation of current state and local regulations, and the regulations themselves, have been shown to be inadequate to protect water quality and fish habitat. This project proposes a public education effort that will be directed at decision makers and the general public to improve the standards and implementation of best management practices, and to increase the level of regulatory certainty that instream resources will be protected, consistent with the Skagit Chinook Recovery Plan.
3. **Tribe:** Swinomish Indian Tribal Community
4. **Project Location:** Efforts will be directed at both the Skagit Watershed and throughout Puget Sound.
5. **Eligible Activities to be Addressed:**
 - a. Skagit Chinook Recovery Plan (A.6.1)
 - b. Support local governments to adopt and implement plans, regulations, and policies consistent with protection and recovery targets, and incorporate climate change forecasts (A 1.2)
 - c. Improve, strengthen and streamline implementation and enforcement of laws, plans regulations and permits consistent with protection and recovery targets (A 1.3)

6. **Proposed Starting and Ending Dates:** February 1, 2014 – January 1, 2015

7. **Project Coordinator:** Larry Wasserman, Swinomish Indian Tribal Community Planning Department, 11430 Moorage Way, LaConner, WA 360-466-4047 (fax), 360-466-7250 (office), lwasserman@skagitcoop.org

8. **Project Narrative**

a. Need for Project:

Completion of the proposed project is a top priority for the Swinomish Tribe. Numerous studies conducted within the Skagit watershed have demonstrated that non-point pollution and the lack of riparian vegetation have significant negative impacts on fisheries resources. Two TMDL studies have been conducted by the Department of Ecology (DOE) for the Skagit River and its lower tributaries (Pickett, 1997; Zalewsky & Bilhimer, 2004). The studies explain that many streams are currently on the Clean Water Act 303(d) list as result of high temperatures, low oxygen, and fecal coliform, which in turn is the result in large measure of inadequate riparian buffers and unrestricted cattle access. TMDL's, when developed, have either not been implemented or are not adequate to alleviate the source of pollutants.

Skagit Chinook Recovery Plan

The following is excerpted from the Skagit Chinook Recovery Plan (SRSC & WDFW, 2005) that speaks broadly to how the work proposed within this workplan is seeking to implement this Plan:

“Successful habitat protection depends on three important components. First is a public that recognizes the importance of salmon habitat protection, and that does not condone actions by others that do harm to these resources. This sentiment should be nurtured through a vigorous public information effort, and by providing the technical information to assist landowners and others in their efforts to comply with existing regulations. Technical and financial resources should also be made available to those who voluntarily want to do even more to protect and restore salmon habitat if they so choose. Providing people with the information to make informed decisions that will be protective of salmon habitat when working in and around streams is the first step towards habitat protection. To summarize, providing people the tools to “do the right thing” capitalizes on the vast majority of the public that wants to provide for a future for Skagit River Chinook.

A second factor and one that needs to be implemented concurrently with the first step is an unambiguous regulatory framework that insures that the habitat needs of the fisheries resource are fully protected, either through avoidance of impacts or through the full mitigation of unavoidable impacts. The regulations should provide sufficient clarity to landowners and other project proponents about what standards need to be met, and what actions are unacceptable. These regulations must be applied equally to all, with assistance from implementing agencies so that people can understand the necessity of the regulated actions, and how they can comply.

Finally, there needs to be an enforcement presence to insure that those that choose not to follow the rules will be held accountable. This is important for a number of reasons. First and foremost, vigorous enforcement provides a deterrence to those that might otherwise try to circumvent or ignore existing regulations. Also important is that an active enforcement process indicates to those that are abiding by the rules that others will be held to a similar standard, and that there is an even playing field for everyone that needs to work in an around streams. Finally, a vigorous enforcement presence indicates to the public that these matters are an important public policy, and that the authorities with jurisdiction take their responsibilities seriously and are committed to ensuring that salmon protection is an important priority” (2005, p.78).

Specific Skagit Chinook Recovery Plan recommendations that this project seeks to educate stakeholders and decision makers on the need to address include:

- Recommendation 20 - Development of “a regulatory framework in the form of an Agricultural Practices Act, a Riparian Protection Act, or the mandatory use of Farm Plans based on Best Management Practices (BMP) based on Best Available Science (BAS). *The commitment to enforce these regulations, is a necessary component to protect water quality within the Skagit Basin*” (emphasis added, p.86) .
- Recommendation 21 – “Assist and support development of Total Maximum Daily Load (TMDL)s for each of the Chinook streams listed on the 303(d) list in the Skagit River Basin. *Identify and implement the measures necessary to meet water quality standards. These measures should become part of either local or state regulations to ensure their implementation*” (emphasis added, p.87).
- Recommendation 24 – “The Shorelines Management Act currently exempts agricultural practices, which inadequately protects essential Chinook habitat. Protecting this habitat requires modification of the Shorelines Management Act to eliminate the exemption for agricultural practices, or to develop alternative mechanisms that provide equivalent levels of protection” (p.87).
- Recommendation 28 – “Ensure the adequacy of water quality violation investigations and follow up, and review the adequacy of BMPs as implemented” (p.87).

Unfortunately, since the Chinook Recovery Plan was adopted by NOAA seven years ago, there has been little change in the regulatory structure or the degree of implementation of these measures. There has also been little local support for adoption or enforcement of regulations to meet water quality standards. Unless decision makers and the general public are made aware of the sources of pollution, the adequacy of currently regulations, and the need for additional enforcement, it is unlikely that water quality will improve or that fisheries resources will be protected.

The Swinomish Tribe is cognizant that the Puget Sound Partnership currently engages in a Puget Sound-wide public outreach and education campaign (Puget Sound Partnership, 2006), Their broad goals include: “Increase public awareness/concern about Puget Sound – and the land around it...; Make improving the health of Puget Sound a public priority; Build broader and deeper support that can be translate into voter or legislative action for comprehensive solutions; Encourage behavior change; [and] Elevate Puget Sound as a national environmental asset on the

same level as the Chesapeake Bay or the Florida Everglades” (Puget Sound Partnership, 2006). While a broad Puget Sound wide protection and outreach is important, regional stakeholders and decision makers within the Puget Sound region are diverse and, we believe that for Skagit Watershed water quality to improve, there is a crucial need for targeted information to stakeholders and decision makers to support improved regulatory mechanisms to protect and restore water quality and fisheries resources within the Skagit Watershed and throughout Puget Sound. We believe that the implementation of our public information and education initiative will fill a critical need, for the benefit of both our fisheries and water quality for the whole community.

Under Year One of funding, Swinomish developed, via contractor, a Public Information and Education Strategic Plan. Methodologies for the development of this Strategic Plan included: introductory meetings between the consultant and Swinomish to discuss the current water quality regulatory deficiencies and appropriate literature to review; a comprehensive water quality literature review and discussions with a number of subject matter experts around the state; a statistically valid quantitative research survey regarding public opinion of water quality that was conducted in July 2012, using a sample of 600 people from across the state; and in-person interviews of approximately two dozen water quality stakeholders from a wide range of backgrounds, also distributed around the state. The survey and in-person interviews focused on: 1) perceptions of water quality in WA State; 2) value/perceptions of water quality protections and regulations; and 3) value/perceptions of governance (local, federal, private sector) in relation to water quality.

It was determined that any attempt to improve water quality laws and enforcement in Washington will require an intensive period of public education (to both the general public as well as opinion leaders) to overcome perceptual problems. To achieve change, the problems with water quality in Washington need to be framed in ways that resonate with average citizens, such that they are educated that:

- The scenic appearance of Puget Sound, rivers and lakes hides a growing and dangerous water quality problem.
- That problem represents a threat to the health, safety and economic well-being of future generations of Washingtonians.
- The water quality problem can be solved without exorbitant cost to the average citizens.

Taking Year One findings and Strategic Plan Development into account, Year Two of this funding’s workplan (which began January 2013) was revised with NWIFC to focus on building partnerships to educate the public and stakeholders on the sources of pollution, the inadequacy of currently regulations, and the need for additional enforcement to improve water quality, and water quality print and radio ads and materials that can be used for that purpose. Year three of this plan focused on measuring and refining the effectiveness of our messages.

b. Project Tasks, Outputs, and Outcomes.

Project Tasks and Outputs – Year 4:

This year 4 project will continue to implement recommended elements of the public information and education strategy developed during previous years with the intent of supporting efforts to strengthen nonpoint pollution regulations. The budget for year 4 will be dedicated to expanding the coalition, and strengthening public support for a regulatory framework for the establishment of riparian buffers. Outreach language will be the result of collaboration with coalition partners and the results of an analysis conducted in Year 3.

- 1 Task: Engage with partners to strengthen coalition for advancement of new regulations to provide adequate protection along salmon streams to meet water quality standards and restore salmon.
Output: 15 meetings between Strategies 360, Swinomish, and coalition partners
Cost: \$21,000
Deliverables: Signed agreements among coalition members to support ongoing public education efforts
Outcome: The coalition initially developed in Year 2 will be expanded with a specific goal of assembling non-traditional water quality partners and reducing potential opposition to new and stronger regulation of nonpoint pollution.
- 2 Task: With some updating, online and radio ads developed in year 2 and placed in Year 3 will continue.
Output:
A strategic advertising plan will be developed to reach a targeted audience both to raise awareness of the issue and build public support for a regulatory remedy. Pending an analysis of their effectiveness, online ads will continue running at the current \$1000/wk level. A mix of public radio sponsorships and commercial radio advertising will run for 12 weeks. Seattle stations with sufficient reach to cover Bellingham to Olympia will be priorities, with specific program advertising in the eastern part of the state. Exact station selection and cost distribution will depend on available inventory.
Deliverables: Digital copies and/or transcripts of ads
Cost: \$100,000
Outcome: Broad public support for regulatory protection of riparian areas and reductions in nonpoint pollution from agricultural sources.
3. Task: Website maintenance: In year 3 a website was developed to provide public information regarding the need for adequate riparian buffers on agricultural lands. This task will involve ongoing site maintenance
Output: This website will be available for viewing and be the target of our social media and online advertising efforts to direct the public to an education site to learn about the impacts of agricultural practices and water pollution.

Deliverable: Website

Cost: \$2000

Outcome: An informed public that will better understand issues associated with agricultural related non-point pollution.

c. Project Timeline – Year 4:

February 2014 – January 2015

Activity	Feb	Mar	Apr	May	Jun	July	Aug	Sept	Oct	Nov	Dec	Jan
Task 1: Engage with Partners												
Task 1: Advertising and outreach												
Task 3: Website maintenance												

9. Budget – Year 4:

a. Annual Budget Summary:

<u>Salaries</u>	
<u>Fringe Benefits</u>	
<u>Travel</u>	
<u>Supplies</u>	2,363
<u>Communications/Utilities</u>	
<u>Equipment/Vehicle Rental</u>	
<u>Equipment/Vehicle O&M</u>	
<u>Sub-Contracts</u>	
<u>Capitalized Equipment</u>	
<u>Professional Services</u>	123,000
<u>Other (training)</u>	
<u>Total of Direct Costs</u>	125,363
<u>Indirect Costs</u>	\$741
<u>Grand Total</u>	\$ 126,104

9a. Task Breakdown: See Appendix 1

9b. Budget Narrative: See Appendix 2

10. Project Management:

The project management will be overseen by Larry Wasserman, Swinomish Environmental Policy Manager. Through regular meetings with key staff and project consultants the project's timelines, deliverables, and reports will be evaluated to insure that project goals are met. Funding for project management, with exception of the supplies costs described within the narrative and budget, will be from internal Tribal funds.

11. Local Coordination and Project Cooperators:

We plan to be extensively connected to local partners through the building of the partners that occurred in previous years of this funding. Current website partners are Puget Soundkeeper Alliance, Spokane Riverkeeper, Center for Environmental Law and Policy, North Sound Baykeeper, and Wild Steelhead Coalition.

12. Technical Review: N/A**13. Severability:** N/A**14. Agricultural Lands Riparian Buffer:** N/A**15. Non-duplication**

No other federal funding will be contributing to this project. All funding supporting project management will come from internal tribal funds.

16. References: N/A

Appendix 1

Task Delineated Budget

	<u>Task 1</u>	<u>Task 2</u>	<u>Task 3</u>	<u>Total</u>
<u>Salaries</u>				
<u>Fringe Benefits</u>				
<u>Travel</u>				
<u>Supplies</u>	\$2,363			\$2,363
<u>Communications/ Utilities</u>				
<u>Equipment/Vehicle Rental</u>				
<u>Equipment/ Vehicle O&M</u>				
<u>Sub-Contracts</u>				
<u>Capitalized Equipment</u>				
<u>Professional Services</u>	\$21,000	\$100,000	\$2,000	\$123,000
<u>Other (training)</u>				
<u>Total of Direct Costs</u>	\$23,363	\$100,000		\$125,200
<u>Indirect Costs</u>	\$741			\$741
<u>Grand Total</u>	\$24,104	\$ 100,000	\$2,000	\$ 126,104

Appendix 2

Budget Narrative

Professional Services: The amounts listed for each task were provided by the Strategies 360, the consultant that we plan to retain for this project. A competitive bid process was conducted under Year One of this funding and Strategies 360 was selected. They are uniquely qualified to continue this work as they developed the Strategic Plan. Strategies 360 will continue this work, including coordinating meetings with other collaborating entities.

Supplies: General supplies for mailing and computer upkeep and maintenance is estimated to be \$2,363.

Indirect Costs: The Swinomish Indian Tribe's most current negotiated cost rate is 31.37%. The professional services detailed within this workplan are not included